

HURON-MANISTEE NATIONAL FOREST SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FACTSHEET



On September 29, 2010, the U.S Court of Appeals for the Sixth Circuit in the case of *Meister v. U.S. Department of Agriculture, et al.*, No. 09-1712, ruled that there were deficiencies in the original Environmental Impact Statement prepared for the Huron-Manistee Land and Resource Management Plan Revision of 2006.

On December 28, 2010, the Huron-Manistee National Forest published a Notice of Intent (NOI) to prepare a Supplemental Environmental Impact Statement (SEIS) to assess the environmental impacts of a Land and Resource Management Plan alternative that would ban firearm hunting and snowmobile use (subject to existing rights) on National Forest System lands within Semi-primitive Non-motorized Management Areas and would ban firearm hunting (subject to existing rights) in Primitive Areas (Nordhouse Dunes Wilderness)

The court found that the Forest Service (Service) did not follow their own process when they prepared the Environmental Impact Statement in 2006.

This means that the Service has to revise their process and address the deficiencies in the planning process. It doesn't necessarily mean that they have to change the plan.

The Court listed four points and found that:

1. The Forest Service's estimates of snowmobile and cross-country visitor to the Forests were arbitrary
2. The Service did not coordinate its recreation planning with the State of Michigan as required, to reduce duplication in meeting recreation demands [per the 1982 planning rule]
3. The Service's reasons for keeping certain trails open to snowmobile use were arbitrary, and
4. The Service violated the National Environmental Policy Act when it failed to consider closing Primitive and Semi-primitive Non-motorized areas to gun hunting and snowmobile use.

The case was remanded back to District Court. Office of General Counsel decided not to appeal to the Supreme Court.

Forest Service decided to remedy the deficiencies in the planning process by preparing a Supplemental Environmental Impact Statement that evaluates two alternatives:

- 1) No Action Alternative: The Forest Service would continue to implement the 2006 Forest Plan in its current form.
- 2) Modified Closure Alternative: The Forest Service would ban firearm hunting and snowmobile use in some portion of the 13 existing Semi-primitive Non-Motorized Management Areas and the Primitive Area (Nordhouse Dunes Wilderness)

The objective of the SEIS is to:

- 1) Coordinate recreation planning with the State of Michigan with the aim (to the extent feasible) to reduce duplication in meeting recreation demands,

- 2) To minimize conflicts between off-road vehicle use and other uses of the Forests
- 3) To identify recreational preferences of use groups and the settings needed to provide quality recreational opportunities

An Interdisciplinary Team (IDT) will address and evaluate recreational demand, supply and effects of alternatives on recreationists and tourism. They will review new information, gather data, analyze it and assess impacts of the alternatives. The SEIS will be provided to the Forest Supervisor for decision.

Background Information

Many snowmobile trails on the Huron-Manistee have been in use since the 1970's.

Snowmobile use information is available in a report entitled, 'Assessment of Snowmobiling in Michigan by Snowmobilers with Michigan Trail Permits' (2009) by Charles Nelson. It shows that \$254 million dollars were spent in Michigan in 2008-09. There were 2 million snowmobiling days during the season with 1 million snowmobiling days spent in the northern Lower Peninsula. The trail network in the northern Lower Peninsula is heavily used it has many trails on the Huron-Manistee and including 26 miles within or near wilderness areas.

The Forest Service coordinates planning with the State of Michigan as documented by Memorandums of Understanding between the Forest Service and Michigan Department of Natural Resource for the planning and administration of snowmobile trail location and use on public land, and for the planning and administration of off-road vehicle (ORV) trail location and use on public land. The MOUs recognize and promote the that the public lands of the Huron-Manistee are essential to motorized recreation in Michigan.

The Forest Service participates with the State of Michigan on many committees including:

- Forest Management Advisory Committee (FMAC) that assists the Department in balancing environmental, social and economic issues surrounding forest management.
- Michigan Snowmobile and Trail Advisory Committee (MSTAC) that advises the Director of the DNRE and the Governor on the creation, development, operation, and maintenance of motorized and non-motorized trails in the state.
- Natural resources management and research, including projects on game species such as black bear, white-tailed deer, wild turkey, and furbearers.
- Black bear and white-tailed deer advisory committees that recommended using hunting as a management tool for these species.

The US Fish and Wildlife Service studies have shown that access to public hunting land is an important factor in the recruitment and retention of hunters.

The US Fish and Wildlife Service studies have shown that lack of access to hunting land is a major factor for the loss of hunters over time.

The use of hunting as an effective population management tool has helped reduce vegetative resource damage and losses to biological diversity through browsing by mammals.

The Department of Agriculture Forest Service Roadless Area Conservation; Final Rule¹ specifically states that Primitive, Semi-Primitive, Non-Motorized and Semi-Primitive Motorized

¹36 CFR Part 294 Special Areas; published in the Federal Register January 12, 2001

areas provide outstanding dispersed recreation opportunities including hunting and does not exclude gun-hunting.

Other National Forest Designated Wilderness Areas in Michigan and across the country include hunting as a dispersed recreation use.